

To: Ides, Nan[Ides.Nan@epa.gov]
From: Trakis, Lisa
Sent: Mon 2/10/2014 6:18:44 PM
Subject: RE: response: FW: draft salient

Thanks. The edits look good.

When I say the US, I mean EPA and DOJ. DOJ is our attorney and the case delegated to the US Attorney Eastern District of Pennsylvania.

Chris Day is our in house EPA counsel, I am the EPA tech lead, and Peg Hutchinson (US Attorney) is the DOJ lead.

From: Ides, Nan
Sent: Monday, February 10, 2014 12:48 PM
To: Trakis, Lisa
Subject: response: FW: draft salient

Lisa – the salient is fine in length. I had to laugh at your concern– I get salients that are a page long!

I edited it – just spelling out acronyms and adding a few commas (you can see the changes in blue below).

When you say US – do you mean EPA and/or DOJ?

Nan

From: Trakis, Lisa
Sent: Monday, February 10, 2014 10:48 AM
To: Ides, Nan
Subject: draft salient

Hi Nan,

I am finalizing an updated hot issues paper for Jon on this with more detail.

The new/salient info here is the \$150,000 stip penalty and the CD modification that we are awaiting Reading's signature on.

There is a lot of background in this case that tells the story of how we got to this point and I felt compelled to include some of the key points, but I think that this is longer than a salient should be?

First paragraph is background, the second is the new info. Do you recommend taking any of the into out of the first paragraph to make it more concise? Thanks.

Enforcement Confidential

The City of Reading Pays a \$150,000 Stipulated Penalty for Sanitary Sewer Overflows

The City of Reading, Pennsylvania Department of Environmental Protection (PADEP), and the U.S (EPA and/or DOJ?), entered a Consent Decree ~~which~~ in November, 2005. The Decree required the City to conduct numerous activities to eliminate violations of their National Pollutant Discharge Elimination System Permit and upgrade aging infrastructure. The City missed milestones including GIS mapping of the collection system and construction of upgraded facilities. The first Evaluation of Treatment Alternatives was approved in 2006 with a construction completion date in 2012. Subsequently, the City revised its selected alternative to consider biochemical nutrient removal and a longer construction schedule with a construction completion date of February 28, 2018. In 2010, the City petitioned the state for Act 47 (financially distressed municipality status) and conducted an affordability analysis for Waste Water Treatment Plant upgrades. In August of 2011, the City experienced a catastrophic failure of a 42 inch force main, which resulted in over 60 million gallons of raw sewage discharging to the Schuylkill River. An emergency repair was completed and a new permanent force main was constructed.

A stipulated penalty demand letter was sent on January 14, 2014 for stipulated penalties of \$150,000 for the 2011 raw sewage overflows to the Schuylkill River. The City has paid the stipulated penalty, the Consent Decree calls for a 50/50-federal/state split of stipulated penalties. The U.S (EPA and/or DOJ), PADEP, and the City of Reading have negotiated a Consent Decree Modification to reflect the changes to the construction schedule. EPA anticipates the City will

sign the modification this month.

Lisa Trakis, 215-814-5433; Chris Day, 215-814-2481.

Lisa Trakis

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